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| APPLICATION NO.        | FL       | LING DATE  | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|------------------------|----------|------------|----------------------|---------------------|------------------|
| 10/748,601             | 1        | 2/30/2003  | Chih-Kang Wu         | E0523-00015         | 8668             |
| 8933                   | 7590     | 03/28/2005 |                      | EXAMINER            |                  |
| DUANE M                | ,        | LLP        | HAN, JASON           |                     |                  |
| IP DEPART<br>ONE LIBER |          | Œ          | ART UNIT             | PAPER NUMBER        |                  |
| PHILADELI              | PHIA, PA | 19103-7396 | 2875                 |                     |                  |

DATE MAILED: 03/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

|   | Application No.  | Applicant(s)                                      |  |  |  |  |
|---|--|---|--|--|--|--|
|   | 10/748,601   | WU ET AL.   |  |  |  |  |
| Office Action Summary   | Examiner   | Art Unit  |  |  |  |  |
| •   | Jason M. Han   | 2875  |  |  |  |  |
| The MAILING DATE of this communication app  |  | orrespondence address                             |  |  |  |  |
| Period for Reply  |  |   |  |  |  |  |
| A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b). |  |   |  |  |  |  |
| Status  |  |   |  |  |  |  |
| 1) Responsive to communication(s) filed on 14 Fe  | ebruary 2005.  | •   |  |  |  |  |
| 2a)⊠ This action is <b>FINAL</b> . 2b)☐ This  | action is non-final.   |   |  |  |  |  |
| . —   | Since this application is in condition for allowance except for formal matters, prosecution as to the ments is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213. |   |  |  |  |  |
| Disposition of Claims   |  |   |  |  |  |  |
| 4) ☐ Claim(s) 1-39 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration.  5) ☐ Claim(s) is/are allowed.  6) ☐ Claim(s) 1-39 is/are rejected.  7) ☐ Claim(s) is/are objected to.  8) ☐ Claim(s) are subject to restriction and/or election requirement.  |  |   |  |  |  |  |
| Application Papers  |  |   |  |  |  |  |
| 9) ☐ The specification is objected to by the Examine 10) ☑ The drawing(s) filed on 14 February 2005 is/are Applicant may not request that any objection to the Replacement drawing sheet(s) including the correct 11) ☐ The oath or declaration is objected to by the Ex  | e: a) accepted or b) objected or b) objected drawing(s) be held in abeyance. See ion is required if the drawing(s) is obj  | 37 CFR 1.85(a).<br>ected to. See 37 CFR 1.121(d). |  |  |  |  |
| Priority under 35 U.S.C. § 119  |  |   |  |  |  |  |
| <ul> <li>12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).</li> <li>a) All b) Some * c) None of:</li> <li>1. Certified copies of the priority documents have been received.</li> <li>2. Certified copies of the priority documents have been received in Application No</li> <li>3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).</li> <li>* See the attached detailed Office action for a list of the certified copies not received.</li> </ul>   |  |   |  |  |  |  |
| Attachment(s)   | _  |   |  |  |  |  |
| <ol> <li>Notice of References Cited (PTO-892)</li> <li>Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br/>Paper No(s)/Mail Date 12/20/2004.</li> </ol>   | 4) Interview Summary Paper No(s)/Mail Da 5) Notice of Informal Pa 6) Other:  |   |  |  |  |  |

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### **DETAILED ACTION**

### Response to Arguments

- 1. Applicant's arguments with respect to Independent Claims 1 and 20 have been considered but are moot in view of the new ground(s) of rejection.
- 2. With respect to Independent Claims 19 and 38, the prior art of Tsai et al. (U.S. Patent 6722773) is considered by the examiner to meet the scope of the claim, whereby the rejection satisfies all structural limitations as broadly interpreted and stated below. In response to applicant's claims that Tsai does not specifically teach a groove that extends through the body/member, the examiner believes that Tsai clearly shows a groove [Figure 5b: (220b) or Figure 5a: (220b)] extending through a body/member [Figure 5b: (220a) or Figure 5a: (220a)].

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The following claims have been rejected in light of the specification, but rendered the broadest interpretation [MPEP 2111].

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## Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section

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351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

- 3. Claims 1-3, 10-13, and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Saito et al. (U.S. Publication 2002/0113924).
- 4. With regards to Claim 1, Saito discloses a support for a backlight assembly of a liquid crystal display device including:
  - A first member having a body [Figure 6: (REF)] and a groove [Figure 6: where the CFL is disposed] formed in the body for holding a lamp [Figure 6: (CFL)], the first member attaching/holding the lamp to a lamp housing [Figure 6: (FLM-D)] of the backlight assembly;
  - A second member [Figure 6: (HLD)] having an elongated body for supporting a diffuser plate [Figure 6: (SCT)] of the backlight assembly when it attempts to sag or distort;
  - Wherein the second member extends from the first member and the groove of the first member is disposed beneath the second member.
- 5. With regards to Claim 2, Saito discloses the body of the first member including a locking member [Figure 8: the hole where (HLD) is disposed] depending therefrom. It should be noted that it has been held that a recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitations. *Ex parte Masham*, 2 USPQ2d 1647 (1987). Therefore, the examiner has not given patentable weight to the recitation "for attaching the first member to the lamp housing of the backlight".

6. With regards to Claim 3, Saito discloses the second member [Figure 6: (HLD)] including a frusto-conical shape.

- 7. With regards to Claim 10, Saito discloses the body of the body of the first member including a reflective surface [Page 7, Paragraph 96, Lines 8-12].
- 8. With regards to Claim 11, Saito discloses the second member being transparent [Page 7, Paragraph 99, Lines 1-3]. Merriam-Webster's Collegiate Dictionary (10<sup>th</sup> Edition) defines resin as "any of various solid or semisolid amorphous fusible flammable natural organic substances that are usually *transparent or translucent* and yellowish to brown, and are formed especially in plant secretions, are soluble in organic solvents (as ether) but not in water, are electrical nonconductors, and are used chiefly in varnishes, printing inks, plastics, and in medicine [underline added by examiner]."
- 9. With regards to Claim 12, Saito discloses the body of the second member including a locking member [Figure 6: bottom of (HLD) attached to the frame].
- 10. With regards to Claim 13, Saito discloses the body of the first member including a recess for the locking member [Figure 6: (REF) defines a recess where the bottom half of (HLD) is disposed).
- 11. With regards to Claim 18, Saito discloses the lamp [Figures 6-7: (CFL)] snap-fitting into the groove [Figures 6-7: defined by the area where the (CFL) are disposed] of the body of the first member.
- 12. Claim 19 is rejected under 35 U.S.C. 102(e) as being anticipated by Tsai et al. (U.S. Patent 6722773).

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Tsai discloses an illuminating device and tube-like lamp thereof, for use as a backlight within a liquid crystal display [see Field of the Invention], and having:

- A body [Figure 5b: (220a)] with a groove [Figure 5b: (220b)] extending through the body for holding a lamp [Figure 4a: (214)] of the backlight assembly; and
- A ring-shape member [Figure 5b: (210a)] disposed about a section of the lamp for providing cushioning between the lamp and the body.
- 13. Claims 20-22, 29-32, and 37 are rejected under 35 U.S.C. 102(b) as being anticipated by Saito et al. (U.S. Publication 2002/0113924).
- 14. With regards to Claim 20, Saito discloses a backlight assembly of a liquid crystal display device including:
  - A lamp housing [Figure 6: (FLM-D)];
  - A lamp [Figure 6: (CFL)];
  - A diffuser plate [Figure 6: (SCT)]; and
  - A support further including:
    - A first member having a body [Figure 6: (REF)] and a groove [Figure 6: where the CFL is disposed] formed in the body for holding a lamp
       [Figure 6: (CFL)], the first member attaching/holding the lamp to a lamp housing [Figure 6: (FLM-D)] of the backlight assembly;
    - A second member [Figure 6: (HLD)] having an elongated body for supporting the diffuser plate of the backlight assembly when it attempts to sag or distort;

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Wherein the second member extends from the first member and the groove of the first member is disposed beneath the second member.

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- 15. With regards to Claim 21, Saito discloses the body of the first member including a locking member [Figure 8: the hole where (HLD) is disposed] depending therefrom. It should be noted that it has been held that a recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitations. *Ex parte Masham*, 2 USPQ2d 1647 (1987). Therefore, the examiner has not given patentable weight to the recitation "for attaching the first member to the lamp housing of the backlight".
- 16. With regards to Claim 22, Saito discloses the second member [Figure 6: (HLD)] including a frusto-conical shape.
- 17. With regards to Claim 29, Saito discloses the body of the body of the first member including a reflective surface [Page 7, Paragraph 96, Lines 8-12].
- 18. With regards to Claim 30, Saito discloses the second member being transparent [Page 7, Paragraph 99, Lines 1-3]. Merriam-Webster's Collegiate Dictionary (10<sup>th</sup> Edition) defines resin as "any of various solid or semisolid amorphous fusible flammable natural organic substances that are usually *transparent or translucent* and yellowish to brown, and are formed especially in plant secretions, are soluble in organic solvents (as ether) but not in water, are electrical nonconductors, and are used chiefly in varnishes, printing inks, plastics, and in medicine [underline added by examiner].

19. With regards to Claim 31, Saito discloses the body of the second member including a locking member [Figure 6: bottom of (HLD) attached to the frame].

- 20. With regards to Claim 32, Saito discloses the body of the first member including a recess for the locking member [Figure 6: (REF) defines a recess where the bottom half of (HLD) is disposed).
- 21. With regards to Claim 37, Saito discloses the lamp [Figures 6-7: (CFL)] snap-fitting into the groove [Figures 6-7: defined by the area where the (CFL) are disposed] of the body of the first member.
- 22. Claim 38 is rejected under 35 U.S.C. 102(e) as being anticipated by Tsai et al. (U.S. Patent 6722773).

Tsai discloses an illuminating device and tube-like lamp thereof, for use as a backlight within a liquid crystal display [see Field of the Invention], and having:

- A lamp housing [Figure 3: (120, 130); Column 3, Lines 2-5];
- A lamp [Figures 3, 4a: (214)];
- A diffuser plate [Figure 3: (142)];
- A support further including:
  - A first member having a body [Figure 5b: (220a)] and a groove [Figure 5b: (220b)] extending through the body for holding a lamp [Figure 4a: (214)] of the backlight assembly, whereby the first member attaches the lamp to the lamp housing [Figure 5b: (220c)]; and
  - = A ring-shape member [Figure 5b: (210a)] disposed about a section of the lamp for providing cushioning between the lamp and the body.

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23. Claim 39 is rejected under 35 U.S.C. 102(b) as being anticipated by Saito et al. (U.S. Publication 2002/0113924).

Saito discloses a backlight assembly of a liquid crystal display device including:

- A lamp housing [Figure 6: (FLM-D)];
- A lamp [Figure 6: (CFL)];
- A diffuser plate [Figure 6: (SCT)]; and
- A support further including:
  - A body [Figure 6: (REF)] having an elongated portion [Figure 6: (HLD)]
     that supports the diffuser plate and prevents said plate from distorting;
  - A groove extending through the body [Figure 6: the area where (CFL)
     is] and disposed beneath the elongated portion;
  - Wherein the groove holds the lamp and the body attaches/holds the lamp to the lamp housing.

### Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 24. Claims 4-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saito et al. (U.S. Publication 2002/0113924) as applied to Claim 1 above, and further in view of Lee (U.S. Publication 2002/0044437).

25. With regards to Claim 4, Saito discloses the claimed invention as cited above, but does not specifically teach the body of the second member including a groove.

Lee teaches a support for a backlight unit including a second member [Figure 4: (61)] having an elongated body for supporting a diffuser plate [Figure 4: (50)] of the backlight assembly when it attempts to sag or distort, wherein the body has a groove [Figure 4: (62)].

It would have been obvious to one ordinarily skilled in the art at the time the invention was made to modify the backlight of Saito to incorporate the support with groove of Lee, whereby the support includes a second member/contact portion having elasticity and preferably made of a soft material to prevent foreign materials or scratches from occurring on the contact area of the diffusion plate during external impact [see Page 3, Paragraph 42 of Lee].

- 26. With regards to Claim 5, Saito in view of Lee discloses the claimed invention as cited above. In addition, Lee teaches the groove of the body of the second member [Figure 3: (60)] providing clearance for lamps [Figure 3: (30)].
- 27. With regards to Claim 6, Saito in view of Lee discloses the claimed invention as cited above. In addition, Lee teaches the groove of the body of the second member aids in retaining the lamp in a groove [Figure 3: area defined within (10)] of the body of a first member [Figure 3: (10)], which also adds support to the diffusion sheet [Figure 3: (50)].
- 28. With regards to Claim 7, Saito in view of Lee discloses the claimed invention as cited above. In addition, Lee teaches a support for a backlight unit including a second

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member [Figure 4: (61)] having an elongated body for supporting a diffuser plate [Figure 4: (50)] of the backlight assembly when it attempts to sag or distort, wherein the body has a groove [Figure 4: (62)].

- 29. With regards to Claim 8, Saito in view of Lee discloses the claimed invention as cited above. In addition, Lee teaches the groove of the body of the second member [Figure 3: (60)] providing clearance for lamps [Figure 3: (30)].
- 30. With regards to Claim 9, Saito in view of Lee discloses the claimed invention as cited above. In addition, Lee teaches the groove of the body of the second member aids in retaining the lamp in a groove [Figure 3: area defined within (10)] of the body of a first member [Figure 3: (10)], which also adds support to the diffusion sheet [Figure 3: (50)].
- 31. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Saito et al. (U.S. Publication 2002/0113924) as applied to Claim 13 above, and further in view of Marsh (U.S. Patent 6471388).

Saito discloses the claimed invention as cited above. In addition, Saito discloses the locking member including a locking shoulder [Figure 6: bottom of (HLD)], but does not specifically teach the locking shoulder extending through an aperture at a bottom of the recess.

Marsh teaches the principle of a locking member [Figure 18: (1805)] including a locking shoulder that extends through an aperture [Figure 16] for holding two members together. Marsh discloses, "FIG. 16 shows an upper perspective view of first clamp section 530... Fig. 18 is a perspective view, from a different angle than that of FIG. 5,

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showing the second clamp section 550 along with details of hooks 1805 which lock the clamp sections 530, 550 in place [Column 17, Lines 36-37...39-42]."

It would have been obvious to one ordinarily skilled in the art at the time the invention was made to modify the locking member of the backlight of Saito to incorporate the locking shoulder through an aperture, as taught by Marsh, to ensure a strong hold between the components.

32. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Saito et al. (U.S. Publication 2002/0113924) as applied to Claim 1 above, and further in view of Tsai et al. (U.S. Patent 6722773).

Saito discloses the claimed invention as cited above, but does not specifically teach a ring-shape member disposed about a section of the lamp for providing cushioning between the lamp and the first member.

Tsai teaches a ring-shape member [Figures 4-5: (210a, 210b)] disposed about a section of the lamp for providing cushioning for the lamp.

It would have been obvious to modify the backlight of Saito to incorporate the ring shape member of Tsai in order to immobilize the lamp, and to lessen or absorb the shock of an impact on the lamp [see Column 3, Lines 51-58 of Tsai].

- 33. Claims 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saito et al. (U.S. Publication 2002/0113924) as applied to Claim 1 above.
- 34. With regards to Claim 16, Saito discloses the claimed invention as cited above, but does not specifically teach the groove of the body of the first member having a cross-sectional profile which is slightly greater than a semi-circle. However, it would

have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the groove into a relatively semi-circular shape, since it has been held to be within the general skill of a worker that mere change of form or shape of an invention involves only routine skill in the art. *Span-Deck Inc. c. Fab-Con, Inc. (CA 8, 1982)* 215USPQ 835. In this case, altering the shape of the groove of Saito could produce a different reflection of the illumination and produce a desired optical effect.

- 35. With regards to Claim 17, Saito discloses the lamp [Figures 6-7: (CFL)] snap-fitting into the groove [Figures 6-7: defined by the area where the (CFL) are disposed] of the body of the first member.
- 36. Claims 23-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saito et al. (U.S. Publication 2002/0113924) as applied to Claim 20 above, and further in view of Lee (U.S. Publication 2002/0044437).
- 37. With regards to Claim 23, Saito discloses the claimed invention as cited above, but does not specifically teach the body of the second member including a groove.

Lee teaches a support for a backlight unit including a second member [Figure 4: (61)] having an elongated body for supporting a diffuser plate [Figure 4: (50)] of the backlight assembly when it attempts to sag or distort, wherein the body has a groove [Figure 4: (62)].

It would have been obvious to one ordinarily skilled in the art at the time the invention was made to modify the backlight of Saito to incorporate the support with groove of Lee, whereby the support includes a second member/contact portion having elasticity and preferably made of a soft material to prevent foreign materials or

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scratches from occurring on the contact area of the diffusion plate during external impact [see Page 3, Paragraph 42 of Lee].

- 38. With regards to Claim 24, Saito in view of Lee discloses the claimed invention as cited above. In addition, Lee teaches the groove of the body of the second member [Figure 3: (60)] providing clearance for lamps [Figure 3: (30)].
- 39. With regards to Claim 25, Saito in view of Lee discloses the claimed invention as cited above. In addition, Lee teaches the groove of the body of the second member aids in retaining the lamp in a groove [Figure 3: area defined within (10)] of the body of a first member [Figure 3: (10)], which also adds support to the diffusion sheet [Figure 3: (50)].
- 40. With regards to Claim 26, Saito in view of Lee discloses the claimed invention as cited above. In addition, Lee teaches a support for a backlight unit including a second member [Figure 4: (61)] having an elongated body for supporting a diffuser plate [Figure 4: (50)] of the backlight assembly when it attempts to sag or distort, wherein the body has a groove [Figure 4: (62)].
- 41. With regards to Claim 27, Saito in view of Lee discloses the claimed invention as cited above. In addition, Lee teaches the groove of the body of the second member [Figure 3: (60)] providing clearance for lamps [Figure 3: (30)].
- 42. With regards to Claim 28, Saito in view of Lee discloses the claimed invention as cited above. In addition, Lee teaches the groove of the body of the second member aids in retaining the lamp in a groove [Figure 3: area defined within (10)] of the body of

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a first member [Figure 3: (10)], which also adds support to the diffusion sheet [Figure 3: (50)].

43. Claim 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over Saito et al. (U.S. Publication 2002/0113924) as applied to Claim 32 above, and further in view of Marsh (U.S. Patent 6471388).

Saito discloses the claimed invention as cited above. In addition, Saito discloses the locking member including a locking shoulder [Figure 6: bottom of (HLD)], but does not specifically teach the locking shoulder extending through an aperture at a bottom of the recess.

Marsh teaches the principle of a locking member [Figure 18: (1805)] including a locking shoulder that extends through an aperture [Figure 16] for holding two members together. Marsh discloses, "FIG. 16 shows an upper perspective view of first clamp section 530... Fig. 18 is a perspective view, from a different angle than that of FIG. 5, showing the second clamp section 550 along with details of hooks 1805 which lock the clamp sections 530, 550 in place [Column 17, Lines 36-37...39-42]."

It would have been obvious to one ordinarily skilled in the art at the time the invention was made to modify the locking member of the backlight of Saito to incorporate the locking shoulder through an aperture, as taught by Marsh, to ensure a strong hold between the components.

44. Claim 34 is rejected under 35 U.S.C. 103(a) as being unpatentable over Saito et al. (U.S. Publication 2002/0113924) as applied to Claim 20 above, and further in view of Tsai et al. (U.S. Patent 6722773).

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Saito discloses the claimed invention as cited above, but does not specifically teach a ring-shape member disposed about a section of the lamp for providing cushioning between the lamp and the first member.

Tsai teaches a ring-shape member [Figures 4-5: (210a, 210b)] disposed about a section of the lamp for providing cushioning for the lamp.

It would have been obvious to modify the backlight of Saito to incorporate the ring shape member of Tsai in order to immobilize the lamp, and to lessen or absorb the shock of an impact on the lamp [see Column 3, Lines 51-58 of Tsai].

- 45. Claims 35-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saito et al. (U.S. Publication 2002/0113924) as applied to Claim 20 above.
- 46. With regards to Claim 35, Saito discloses the claimed invention as cited above, but does not specifically teach the groove of the body of the first member having a cross-sectional profile which is slightly greater than a semi-circle. However, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the groove into a relatively semi-circular shape, since it has been held to be within the general skill of a worker that mere change of form or shape of an invention involves only routine skill in the art. Span-Deck Inc. c. Fab-Con, Inc. (CA 8, 1982) 215USPQ 835. In this case, altering the shape of the groove of Saito could produce a different reflection of the illumination and produce a desired optical effect.
- 47. With regards to Claim 36, Saito discloses the lamp [Figures 6-7: (CFL)] snap-fitting into the groove [Figures 6-7: defined by the area where the (CFL) are disposed] of the body of the first member.

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#### Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason M. Han whose telephone number is (571) 272-2207. The examiner can normally be reached on 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JMH (3/17/2005)

Supervisory Patent Examiner **Technology Center 2800** 

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